

ATTORNEY DOCKET NO.  
074078.0107

2631  
SERIAL NO.  
10/082,351 *SP*

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Cripps, et al.  
U.S. Patent Serial No.: 10/082,351  
Filing Date: February 26, 2002  
Examiner: Freshten N. Aghdam  
Group No.: 2631  
Confirmation No.: 9717  
Title: **Smart Antenna Based Spectrum  
Multiplexing Using a Pilot Signal**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on June 2, 2005.

*Freda H. Odenetta*  
Name

6/2/05  
Date of Signature

**REQUEST FOR CONSIDERATION OF INFORMATION  
DISCLOSURE STATEMENTS TIMELY FILED**

For reasons set forth below, it is respectfully requested that the PTO file for this application be promptly forwarded to Examiner Freshten N. Aghdam, for confirmation that the references listed on the PTO-1449 forms attached to the Information Disclosure Statements filed on the following dates have been considered:

April 24, 2002  
September 24, 2002  
May 17, 2005

On the dates listed in the first paragraph on page 1 of this document, Applicants filed Information Disclosure Statements (IDS) with PTO-1449 forms attached, listing the DAL01:854297.1

references submitted for consideration. Copies of the cited references were also included. The Information Disclosure Statements were received at the U.S. Patent and Trademark Office on the dates listed in the first paragraph on page 1 of this document as shown on the returned, date-stamped postcards, copies of which are attached. For the convenience of the Examiner, copies of the Information Disclosure Statements and the cited references filed on the dates listed in the first paragraph on page 1 of this document are enclosed.

An Office Action for this application was mailed on May 17, 2005. However, Examiner Freshten N. Aghdam has not returned copies of the PTO-1449 forms indicating consideration of the references cited in the Information Disclosure Statements filed on the dates listed in the first paragraph on page 1 of this document listed.

Accordingly, **Applicants hereby request confirmation of consideration of the previously filed Information Disclosure Statements.** Examiner Freshten N. Aghdam is requested to initial the references listed on the PTO-1449 forms to show that they were appropriately considered during examination of this Application. The Commissioner is hereby authorized to credit any overpayment, or to charge any additional fee required by this paper, to Deposit Account No. 02-0384 of Baker Botts L.L.P.

BAKER BOTTS L.L.P.  
Attorneys for Applicants



Keiko Ichiye  
Reg. No. 45,460

2001 Ross Avenue, Suite 600  
Dallas, Texas 75201-2980  
(214) 953-6494

Enclosures: Copies of Information Disclosure Statements filed on dates listed in the first paragraph on page 1 of this document with PTO-1449 forms and copies of the cited references;  
Copies of acknowledgment post cards showing  
date stamps of dates listed in the first paragraph on page 1 of this document



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Peter Cripps, et al.  
Serial No.: 10/082,351  
Filing Date: February 26, 2002  
Group Art Unit: 2631  
Examiner: Unknown  
Title: SMART ANTENNA BASED SPECTRUM MULTIPLEXING  
USING A PILOT SIGNAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING  
BY EXPRESS MAIL

I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Willie Jiles*  
Willie Jiles

Date: May 17, 2005.

Exp. Mail Receipt No. EV 733632477 US

EV733632477US

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. Copies of these references are enclosed for the convenience of the Examiner. No representation is made that a search has been made, that these references are material to the patentability of the present application, or that these references qualify as prior art.

REMARKS

This Information Disclosure Statement is being submitted pursuant to 37 C.F.R. § 1.97(b) before the issuance of a first Office Action and, therefore, no fee is believed to be

due. If, however, a fee is due, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

Baker Botts L.L.P.  
Attorneys for Applicants



Keiko Ichiye  
Reg. No. 45,460

Date: May 17, 2005

Correspondence Address:

**Customer No. 05073**

PTO-1449

Application No.  
10/082,351Applicant(s)  
Peter Cripps, et al.Information Disclosure Citation  
In an ApplicationDocket Number  
074078.0107Group Art Unit  
2631Filing Date  
February 26, 2002

## U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A	5,832,387	11/03/1998	Bae et al.	455	522	12/29/1995
	B	6,351,499 B1	02/26/2002	Paulraj et al.	375	267	12/15/1999
	C	6,369,758 B1	04/09/2002	Zhang	342	383	11/01/2000
	D	2002/0145968 A1	10/10/2002	Zhang et al.	370	206	02/28/2001
	E						
	F						
	G						
	H						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	I	EP 1 204 217 A1	05/08/2002	EP	H04B	7/005	X	
	J							
	K							
	L							
	M							

## NON-PATENT DOCUMENTS

		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
	N		
	O		
	P		
	Q		
	R		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

U.S. PATENT AND TRADEMARK OFFICE

Attorney Docket No. MAGN002/01US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A  
PILOT SIGNALCommissioner for Patents  
Washington, D.C. 20231SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form  
PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
- ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
- ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- ☐ Check No. \_\_\_ in the amount of \$\_\_\_ for the total fee is attached.
- ☒ A return receipt postcard is also enclosed.
- ☐ Please charge \$\_\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

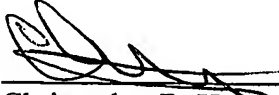
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: September 24, 2002

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:

  
\_\_\_\_\_  
Christopher R. Huffer  
Reg. No. 41,087

Attorney Docket No. MAGN002/01US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: **SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A  
PILOT SIGNAL**

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Commissioner for Patents  
Washington, D.C. 20231**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,

Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to PCT/US02/05650 mailed on August 5, 2002.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_\_ (copy enclosed) claims priority from this non-English publication.



- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

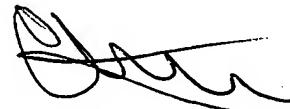
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: September 24, 2002

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



Christopher R. Hutter  
Reg. No. 41,087

*(use as many sheets as necessary)*

**Complete if Known**

Application Number	10/082,351
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<b>Filing Date</b>	February 26, 2002
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<b>First Named Inventor</b>	<b>Peter CRIPPS</b>
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Group Art Unit	2631
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Examiner Name	Unassigned
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Sheet	1	of	1
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Attorney Docket Number	MAGN002/01 US
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## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

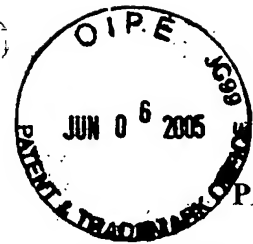
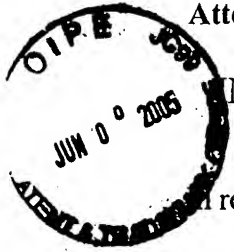
<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



Attorney Docket No. MAGN002/01US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL

Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
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- ☒ A return receipt postcard is also enclosed.
- ☐ Please charge \$\_\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: April 24, 2002

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



Christopher R. Hutter  
Reg. No. 41,087

Attorney Docket No. MAGN002/01US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Peter CRIPPS et al.

Serial No.: 10/082,351

Examiner: Unassigned

Confirmation No.: 9717

Art Unit: 2631

Filed: February 26, 2002

For: SMART ANTENNA BASED SPECTRUM MULTIPLEXING USING A PILOT SIGNAL

---

Commissioner for Patents  
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) \_\_\_ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to \_\_\_ application serial no. \_\_\_ and mailed on \_\_\_.
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) \_\_\_. English language publication \_\_\_ (copy enclosed) claims priority from this non-English publication.

- ☐ Enclosed is an explanation of non-English publication(s) \_\_\_ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) \_\_\_ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. \_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☒ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☐ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: April 24, 2002

Cooley Godward LLP  
ATTN: Patent Group  
One Freedom Square  
Reston Town Center  
11951 Freedom Drive  
Reston, VA 20190-5601  
Tel: (703) 456-8000  
Fax: (703) 456-8100

Respectfully submitted,  
**COOLEY GODWARD LLP**

By:



Christopher R. Hutter  
Reg. No. 41,087

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/082,351	
			Filing Date	February 26, 2002	
			First Named Inventor	Peter CRIPPS et al.	
			Group Art Unit	2631	
			Examiner Name	Unassigned	
Sheet		of		Attorney Docket Number	MAGN002/01US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	1	2002/0021683	A1	Holtzman et al.	02-21-2002
	2	2002/0008672	A1	Gothard et al.	01-24-2002
	3	2001/0022557	A1	Rouphael et al.	09-20-2001
	4	2001/0020915	A1	Proctor, Jr.	09-13-2001
	5	2001/0005685	A1	Nishimori et al.	06-28-2001
	6	6,349,218	B1	Nakagawa et al.	02-19-2002
	7	6,317,587	B1	Tiedemann, Jr. et al.	11-13-2001
	8	6,307,506	B1	Despain	10-23-2001
	9	6,304,215	B1	Proctor, Jr. et al.	10-16-2001
	10	6,266,528	B1	Farzaneh	07-24-2001
	11	6,259,683	B1	Sekine et al.	07-10-2001
	12	6,236,839	B1	Gu et al.	05-22-2001
	13	6,167,039		Karlsson et al.	12-26-2000
	14	6,137,840		Tiedemann, Jr. et al.	10-24-2000
	15	5,771,022		Vaughan et al.	06-23-1998
	16	5,577,265		Wheatley, III	11-19-1996
	17	5,109,390		Gilhausen et al.	04-28-1992

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)		
	18	WO	02/13493	A1	Medlock et al.	02-14-2002

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number.

<sup>2</sup> See attached Kinds of U.S. Patent Documents.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.